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OFFICE OF GENERAL  
COUNSEL

September 16, 2011

Jeff Gordon  
Supervising Attorney  
Complaints Examination and Legal Administration  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 6463

Dear Mr. Gordon:

I am in receipt of your letter dated July 29, 2011, regarding additional information received by the Federal Election Commission (the Commission) from the Complainants in MUR 6463. This response is respectfully submitted on behalf of the Respondents Jack J. Antaramian (in his personal capacity, in his capacity of President of Antaramian Development Corporation of Naples, and in his capacity as Trustee of the Antaramian Family Trust), Mona Antaramian, David Antaramian, and Yasmeen Wilson.

As we stated in our original response, Mr. Antaramian is a real estate developer and has, on a number of occasions, partnered with the Complainants to invest in real estate. As the result of a failed investment, the Complainants have filed multiple lawsuits against Mr. Antaramian and the Antaramian Development Corporation of Naples. Several of the issues raised in the Complaint and supplemental information are currently under litigation.

The Complainants made two additional allegations in the information submitted to the Commission on July 29, 2011. These allegations involve only two of the Respondents, Jack Antaramian and Mona Antaramian. First, the Complaint alleges that Mr. and Mrs. Antaramian exceeded their biennial contribution limits in the 2007-2008 election cycle. As we will show below, this allegation is false. Second, the Complaint alleges that certain expenses related to a campaign event in 2008 which were paid for by Mr. Antaramian were not properly accounted for at the time. In researching the facts and circumstances related to this allegation, Mr. Antaramian learned that certain expenses related to the 2008 event were not properly accounted for. Through discussions with representatives of the Democratic National Committee (DNC) Mr. Antaramian learned that these expenses would be reported as in-kind contributions to the appropriate committee. Unfortunately, this was not the case. Mr. Antaramian deeply regrets that these payments were not properly accounted for and has taken immediate steps to rectify the problem.

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## 1. Alleged Violation of Biennial Limitation on Individual Contributions

The Complainants allege in the supplemental information that Mr. and Mrs. Antaramian exceeded their individual biennial limits in the 2007-2008 election cycle. The supplemental information included a list of contributions attributed to Mr. and Mrs. Antaramian. In 2008 Mr. Antaramian made contributions to the Obama Victory Fund, the DNC Services Corporation/Democratic National Committees, and the Committee for Change. The total of these contributions were well below the \$108,200 biennial limitation. The Obama Victory Fund and the Committee for Change are joint fundraising committees as authorized under 11 C.F.R. § 102.17(a)(1)(i) and (a)(2). Joint fundraising committees must allocate gross proceeds among all the participant committees. The contributions listed on page 1 of Exhibit A to various state party committees were allocations made by the joint fundraising committees. These were not direct contributions by Mr. Antaramian and did not count toward his biennial limitation. All of the contributions to state party committees listed in the supplemental information were allocations made by the two joint fundraising committees. The same is true for the contributions attributed to Mrs. Antaramian listed on page 2 of Exhibit A. Mrs. Antaramian did not make direct contributions to the state party committees listed. Again, these were allocations to participant committees attributed to Mrs. Antaramian. These allocations did not count against her biennial limit.

## 2. In-kind Contributions to the DNC

On October 8, 2008, Mr. and Mrs. Antaramian, and others, hosted a fundraising event benefitting the Obama Victory Fund and honoring Senator Joseph Biden. The event was held at the Yacht Club at Naples Bay Resort where Mr. and Mrs. Antaramian are members. Expenses associated with this event included catering costs, rental fees for certain equipment and other expenses. Because Mr. Antaramian was a member of the Club these expenses were charged to Mr. Antaramian's account. Mr. and Mrs. Antaramian worked closely with representatives of the DNC on this event. Both Mr. and Mrs. Antaramian were aware of their individual contribution limitations. Both believed at the time that the expenses for this fundraising event would be reported as in-kind contributions by one of the committees involved in the event. However, after further investigation Mr. and Mrs. Antaramian have discovered that these costs were not reported as in-kind contributions by the DNC or any other committee nor were they reimbursed for these expenses. Therefore, Mr. and Mrs. Antaramian have taken immediate action to correct this oversight and have requested that the DNC reimburse them for these expenses. A copy of their letter to the DNC is attached.

The Complainants also allege that Mr. Antaramian attempted to hide his payment of these expenses from others. Obviously, this is false on its face. The Complainants offer no evidence to support this allegation. Mr. Antaramian was the co-chair of the Biden event. It was well known to those associated with this event, including representatives of the DNC and the Obama Victory Fund, that Mr. Antaramian had charged the expenses for the event to his personal account. There was certainly never any attempt to conceal this fact. Mr. Antaramian believed that his payment of these expenses would be properly handled by the committees that were responsible for organizing event. Unfortunately, we now know that this was not the case. To allege that Mr. Antaramian in some way attempted to hide this fact is once again an attempt by the Complainants to simply damage Mr. Antaramian's reputation.

**Update to the Response Filed on May 6, 2011**

In their response to the original Complaint in MUR 6463 Mr. and Mrs. Antaramian and the other respondents informed the Commission that they would seek reimbursement from the Democratic National Committee for certain in-kind contributions they and others made to the DNC in 2009. We wanted to make sure that the Commission was aware that the DNC has reimbursed all of the individuals who were listed in the original response as having made these in-kind contributions. These included the following:

- A. \$511.05 to Mr. Antaramian for electrical expenses.
- B. \$487.50 to Mr. Antaramian for moving expenses.
- C. \$500.00 to Brompton Road Partners for use of a copying machine.
- D. \$135.00 to the Antaramian Development Corporation of Naples for computer services.
- E. \$888.16 to Mrs. Antaramian for utility expenses.

**Conclusion**

As we have explained in prior responses, most of the allegations raised by Complainants have been speculative, inaccurate and misleading. Mr. and Mrs. Antaramian and the other respondents in no way intended to violate federal campaign finance law, or any other laws. Any questionable contributions (direct or in-kind), were inadvertent and, where questionable contributions have been discovered, the Respondents have taken immediate action to resolve the issue, including requesting reimbursement from the DNC. As such, we once again request that the Commission dismiss this matter.

Sincerely,



C. Michael Gilliland

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Attachment